

REMARKS/ARGUMENTS

Responsive to the Office Action mailed October 29, 2008:

NON-PRIOR ART MATTERS

1) Applicant thanks the Examiner for withdrawing the previous 35 USC 112 rejections.

2) Applicant respectfully submits that, contrary to the Examiner's statement, claims 6 and 7 were present in the Preliminary Amendment filed with the Application on 3/20/06.

Applicant attaches hereto a copy of the stamped postcard receipt from the Office, a Transmittal Cover Letter noting that the Preliminary Amendment comprised 21 pages, and page 12 of the originally submitted Preliminary Amendment with claims 6 and 7.

PRIOR ART MATTERS

The Office Action rejected claims 1-5 under 35 USC 102(e) as being anticipated by Shelest. Applicant respectfully traverses this rejection.

A single prior art reference anticipates a claimed invention only if it discloses each and every claim element.¹ "For a prior art reference to anticipate...every element of the claimed invention must be identically shown in a single reference...These elements must be arranged as in the claim under review."² "This standard is very strict. It requires an exact correspondence between the contents of the event and the claim limitations, such that each and every element recited in the claim is present in the anticipatory event."³

¹ *Structural Rubber Prod. Co. v. Park Rubber Co.*, 749 F.2d 707, 223 USPQ 1264 (Fed. Cir. 1984); *Transclean Corp. v. Bridgewood Services, Inc.*, 290 F.3d 1364, 1370, 62 U.S.P.Q.2D (BNA) 1865 (Fed. Cir. 2002).

² *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)

³ *Moy's Walker on Patents*, 4th ed., § 8.11 (citing *In re Spada*, 911 F.2d 705, 708, 15 U.S.P.Q.2D(BNA) 1655 (Fed. Cir. 1990))

In order to anticipate under 35 U.S.C. § 102, “the prior art reference...must not only disclose all elements of the claim within the four corners of the document, but must also disclose those elements ‘arranged as in the claim’.”⁴

As to claim 1, Shelest does not disclose first and second auxiliary servers containing data previously recorded within a database of said reference server and respectively provided with a first and second authorization access level, said data in the first and second auxiliary servers previously recorded within said database of said reference server further comprising data issued from said reference server, and wherein said data issued from said reference server are spread over said first and second auxiliary servers relative to said first and second authorization access levels.

The claimed invention relates to a system which ensures a service providing protocol addresses, for example through a DNS, which allows keeping some of the data stored in a database confidential. Data which are kept confidential are data that are associated to a user identifier or a domain name address, such as names, phone numbers and email addresses of owners of a domain name.

A DNS server does not filter the information it returns in response to a request identifying a given domain name, so that all data associated with a domain name are returned during the request, which could be for example a “whois” request.

The invention allows exercising a control over the conditions of making public data contained in the database, separating the data originally contained in the server reference into at least two groups of data with different degrees of confidentiality, which groups respectively are contained in separate servers and accessible to people previously defined, which may be specific to each server and auxiliary different from one server to another auxiliary.

To do so, the invention implements:

- A reference server, not accessible, including all data of users;

⁴ *Net Moneyin, Inc. v. Versign, Inc.* (Fed. Cir. Appeal No. 2007-1565, decided October 20, 2008) (holding that ‘unless a reference discloses within the four corners of the document not only all of the limitations claimed but also all of the limitations arranged or combined in the same way as recited in the claim, it cannot be said to prove prior invention of the thing claimed and, thus, cannot anticipate under 35 U.S.C. § 102.’)

At least two auxiliary servers that include copies of some data contained in the reference server.

Shelest does not disclose that the data included in the first and second auxiliary servers are data issued from the reference server and that these data are spread over both auxiliary servers relative to an authorization access level attributed to the data.

Shelest does not teach all claimed features of amended claim 1. Claim 1 is therefore allowable.

Claims 2-6 contain additional elements and/or limitations beyond allowable claim 1 and are also allowable.


Claim 7 is allowable for the reasons given above in regard to claim 1.

For the above reasons, Applicant respectfully requests the allowance of all claims and the issuance of a Notice of Allowance.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 02-3732.

Respectfully submitted,

Dated: 27 Jan 09

By: 

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Re. Appln: **10/572608**
Serial No.: Not yet assigned
Filed: March 20, 2006
For: TELECOMMUNICATIONS SYSTEM USING SECURE

DOMAIN NAME RESOLUTION

Receipt is hereby acknowledged by the U.S. Patent and Trademark Office for the following:

1. Transmittal Cover Letter;
2. Transmittal Letter to the United States DO/EO/US Concerning a Filing Under 35 U.S.C. 371 (3 pgs.);
3. PCT Request in the French language;
4. International Application WO2005/032097, published with International Search Report;
5. French specification, claims and abstract, as filed;
6. English translation of application;
7. One (1) drawing sheet;
8. International Search Report in French with four cited references;
9. Written Opinion of the International Searching Authority in French;
10. Preliminary Amendment (21 pgs.);
11. A check in the amount of \$1130 in payment of the filing fee; and
12. Postcard receipt.

for the above-referenced patent application.
33155.33 March 20, 2006

GEH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re. Appln.: Daniel Migault
Serial No.: Not yet assigned
Int'l Appl. No.: PCT/FR04/02397
Int'l Filing Date: September 23, 2004
For: TELECOMMUNICATIONS SYSTEM USING SECURE DOMAIN
NAME RESOLUTION
Attorney Docket No.: 33155.33
Attorney: Gerald E. Helget
Additional Fees: Charge to Deposit Account No. 023732

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ET 086350774 US

TRANSMITTAL COVER LETTER

Sir:

Enclosed for filing please find the following:

1. Transmittal Letter to the United States DO/EO/US Concerning a Filing Under 35 U.S.C. 371 (3 pages);
2. PCT Request in the French language (3 pages);
3. International Application WO2005/032097, published with International Search Report (21 pages);
4. French specification, claims and abstract, as filed (13 pages);
5. English translation of application (with certification) (18 pages);
6. One (1) drawing sheet;
7. International Search Report in French (4 pages) with four (4) cited references;
8. Written Opinion of the International Searching Authority in French (4 pages);
9. Preliminary Amendment (21 pages);
10. A check in the amount of \$1130 in payment of the filing fee; and
11. Postcard Receipt.

Respectfully submitted,

Dated:

20 Mar 06

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this document, as well as the above-identified documents, are being deposited with the United States Postal Service as Express Mail, Receipt No. ET 086350774 US an envelope addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the dated indicated below.

By
Date

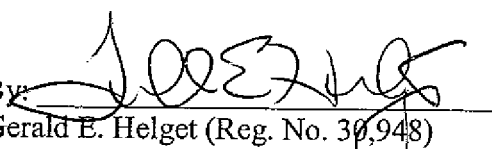
20 Mar 06

6. (currently amended) The ~~[[T]]~~telecommunications system ~~according to one of~~
claim~~[[s]]~~ 1 to 5, characterised comprised in that the reference server is provided with
identification means for preventing any writing of data in the said reference server from a
terminal not having access authorisation compatible with a greater degree of confidentiality
having a restrictive effect greater than the restrictive effect produced by all the other degrees
of confidentiality attributed to the data contained in the reference server and the auxiliary
servers.

7. A ~~[[D]]~~device for storing information ~~including~~ comprising a so-called
reference server and at least a first and second auxiliary server intended to contain data
previously recorded within the reference server and respectively provided with a first and
second degree of confidentiality, at least one of the first and second auxiliary servers being
provided with identification means for preventing any access to the data that they contain by
applicants not having access authorisation compatible with the degree of confidentiality
attributed to the data contained in this auxiliary server.

Respectfully submitted,

Dated: 20 Mar 06

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